

EXHIBIT 1

Subject: Motion to Disqualify

Date: Wednesday, April 15, 2015 at 11:09:39 AM Eastern Daylight Time

From: Tiffany Miller

To: Matt Oppenheim, Julie Chen

CC: Neil Mooney, janice.berkowitz@admlaw.com

Priority: High

Matt --

I have conferred with Mr. Mooney regarding the conversation you had with him yesterday.

Defendants do not agree to your suggested stipulation.

Mr. Mooney is counsel of record and will remain so unless the court says otherwise. There is no good reason why we should stipulate anything regarding his counsel status. Moreover, the ability and extent of counsel to participate at trial cannot be stipulated by the parties. That is within the Court's purview

Plaintiffs have raised an issue where none exists by filing a motion to disqualify on the concept that Mr. Mooney will be a witness in this case. We have already stated to the Court that Mr. Mooney is not an intended witness. He is not on your witness list either. Now that you are apparently seeing the folly of the motion to disqualify, you should be rectifying the situation by withdrawing your motion---not by asking us to stipulate to things for which there is no cause or reason.

Sincerely,
Tiffany

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